

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 5/7/2025

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

JOSE DOTEL,

Defendant.

1:93-cr-173-MKV

SCHEDULING ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court held a conference on May 7, 2025 in response to competing letters from the parties, [ECF Nos. 71, 72], with respect to the impact of Mr. Dotel's claim of ineffective assistance of counsel on the attorney-client privilege. At the conference the Court addressed the need for Defendant to sign an informed waiver of the attorney client privilege with his former counsel, Lou Freeman, Esq., prior to proceeding with the pending *Coram Nobis* motion briefing which is based exclusively on a claim of ineffective assistance of counsel. Accordingly, for the reasons discussed with the parties at the conference:

IT IS HEREBY ORDERED that on or before May 14, 2025 counsel for Defendant Dotel shall file on the docket an informed consent waiver of the attorney client privilege with respect to his former counsel, Lou Freeman, Esq.,—to the extent that the privilege has not already been waived due to the presence of Defendant Dotel's sister, Carmen Sanchez, at purportedly privileged conversations with Defendant and his former counsel as alleged throughout Defendant's motion papers and attested to in the affirmation of Defendant's current counsel, affidavit of Defendant, and affidavit of Carmen Sanchez, *see* [ECF No. 66]—to sufficiently allow former counsel, Lou Freeman, Esq., to respond to the allegations of ineffective assistance made against him by Defendant Dotel.

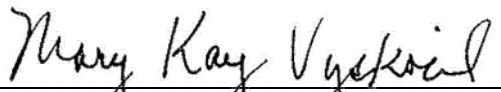
IT IS FURTHER ORDERED that on or before June 4, 2025 the Government shall file its response to Defendant's pending *Coram Nobis* motion.

IT IS FURTHER ORDERED that to the extent necessary any reply in connection with Defendant's petition and motion is due on or before June 18, 2025.

The Clerk of Court is respectfully requested to terminate the motion pending at docket entry 71.

SO ORDERED.

**Date: May 7, 2025
New York, NY**



MARY KAY VYSKOCIL
United States District Judge